

## HAWAII'S DELEGATES AT KANSAS CITY.

Shown Much Attention  
by the Democratic  
Convention.

WISE TAKES IMPORTANT PLACE.

CASTS THE DECIDING VOTE IN  
FAVOR OF FREE  
SILVER.

And Thereby Helps to Carry Into  
Effect the Pronounced Views  
of Mr. Bryan—Places on  
Committees.

Hawaii was made much of at the Democratic National Convention at Kansas City. The action of John H. Wise, who was a member of the Committee on Resolutions, in casting the deciding vote in favor of the free silver plank placed the delegation to the fore at a stroke. From then on the delegation from Hawaii was a decided factor in the convention and was shown much attention by other delegations.

The Examiner contained the following special on Mr. Wise's action over the free silver plank:

KANSAS CITY, July 5.—Hawaii put 16 to 1 in the Democratic platform today in the convention. The swarthy Prince David Kawananakoa was slapping free silver Democrats on the back and saying Hawaii was in American politics to stay and had cast its lot with Bryan and all that that represented. "Hawaii did it, I'm almost sorry that I opposed annexation," said R. L. Metcalf, Bryan's mouthpiece in Kansas City.

The speech of Senator Blackburn bore fruit. His utterances fell upon good soil when they reached the ears of the delegate from Washington, the members from Hawaii and Indian and Oklahoma Territories. The member from Washington, Mr. Ellis, was nearest 16 to 1, but immediately after Mr. Blackburn's speech he began to waver.

Then came a play for time. The friends of the specific declaration hurried messengers off for the members of the Washington delegation. They had gone to bed. They were ruthlessly pulled from their beds and hauled to the Kansas City Club, where Mr. Ellis was seen. After a short but animated conference, Mr. Ellis re-entered the committee-room, and a moment later it was announced that Washington would vote for the Bryan plank. That made the poll a tie. Hawaii next turned, and the result was accomplished. The call on July 5 said: "The Hawaiians are attracting considerable attention. They have been granted representation on the national committee. The Hawaiians occupy a prominent place in the convention hall and are loudly cheered when they enter."

In describing the keeping of "open houses" by the California delegation on July 4, the Chronicle made the following reference to Hawaii:

"The Hawaiian delegation called in a body shortly after noon and during the day fragments of the Nebraska, Indiana, Ohio, New York, Kansas, Missouri, Kentucky and Pennsylvania contingents came in. Up to noon something like eighteen cases of wine had been distributed, a glass at a time, and after that time they lost count."

"Prince David, once of the reigning house of the Kingdom of Hawaii, but now a plain American citizen and titled only by courtesy, will be one of the men who go to Lincoln, Neb., with the Notification Committee and inform William J. Bryan of his selection as the standard bearer of the Democratic party. It is a little incident noteworthy in itself, and to the expansionist an eloquent appeal for his cause. David is probably a Democrat because he remembers Cleveland, but he is a pretty good American these days. He was chosen to-day for the post by his associates of the Hawaiian delegation, and at the same time John H. Wise, also Hawaiian, was placed on the Committee on Platform and made a member of the committee that will notify the Vice-Presidential nominee, Colonel John D. Holt, was placed on the Committee on Rules and Order of Business. Colonel W. H. Cornwell was made national committee man and honorary vice-president of the convention, and Charles T. Wilder was made a member of the Committee on Credentials and honorary secretary."

The Hawaiian headquarters at the Washington Hotel are an object of great curiosity and have during the day attracted hundreds of visitors. The delegation has not done much politics, but has devoted a fair share of its time to an expression of scorn for the Missouri climate and an effort to keep cool. "John H. Wise, who is acting with the delegation, is regarded as the real leader of the Independent party of Hawaii, which includes all the native element, and the Democrats are counting on a favorable union with them in the coming campaign."

But the climax for Hawaii came when Prince David seconded the nomination of Bryan on July 6. The call thus describes the scene:

A ringing cheer followed the call of "Hawaii," and as Prince David of that delegation arose from his seat, the convention demanded that he take the platform, which he did amid great applause. When his swarthy but handsome face, flashing eyes and white teeth appeared at the side of Chairman Richardson, the excitement became intense. It reached the utmost pitch when he spoke in a clear voice, detailing

ing his arguments with grace and enunciation his words with a clearness rarely characterizing a public speaker. The banner of this island Territory was again set in motion and greeted with renewed enthusiasm.

"Gentlemen of the convention," he said, "the delegates of Hawaii have come from thousands of miles to attend this convention."

A loud cheer greeted this announcement and it was multiplied tenfold when he added:

"And last night Hawaii cast the winning vote for 16 to 1 in the committee meeting. We came here to nominate that greatest of Americans, towering head and shoulders over all his countrymen; the man who is brave enough to stand up according to his own principles. That man, gentlemen, is the man we nominate. And, gentlemen, if we were only a State we would do more for that peerless man—William Jennings Bryan."

The delegation voted for Hill for Vice-President, Mr. Wise seconding the New York man's nomination. Later when the stampede for Stevenson took place the Hawaiian delegation was among the foremost to change its vote. Asked for his views on the demonstration in the convention hall, following the address of Permanent Chairman Richardson, Prince David wrote:

"The demonstration of this evening, following the mention of the name of Mr. Bryan, was the grandest I have ever seen, and far beyond anything I had ever dreamed of. It was a magnificent display of the power and magnetism of a strong and fearless personality. It would seem an absolute impossibility to defeat a man with such a hold on the hearts of the people."

Immediately following the convention all the delegates started home, except Mr. Wilder as the following from the Chronicle of the 8th shows:

The Hawaiian delegation, with the single exception of Charles E. Wilder, left for the Coast to-night, and their plan is to return to their island home as quickly as possible. They resisted all efforts to remain longer and declined many pleasant and pressing enticements. John H. Wise and Prince David, who did all of the public speaking for the delegation, have been simply lionized. Mr. Wilder goes to New York for a month's stay."

## JONES TO MANAGE DEMOCRATIC CAMPAIGN.

The National Committee Selects the  
Senior Senator from Arkansas  
as Party Leader.

KANSAS CITY, July 6.—All the officers of the last National Democratic Committee have been elected: Senator J. K. Jones of Arkansas, chairman.

Governor Stone of Missouri, vice-chairman.  
C. S. Welsh of Iowa, secretary.  
John I. Martin of Missouri, sergeant-at-arms.

The committee met at the Kansas City Club. Senator Jones, who was not a member of the committee, remained outside until the preliminaries were over. Thomas Taggart of Indiana, who has been mentioned as a possible chairman, nominated Senator Jones for reelection, and he received the unanimous vote. The Senator was sent for, and in accepting the chairmanship, said that the committee entered the campaign in much better shape than four years ago. Then the members were all new and untried in party affairs, which had been in the hands of men who were overthrown in the great issues dominating the 1896 convention. Now they had a complete organization and were ready to go ahead and make the best fight possible. He complimented the action of the convention, both as to platform and the candidates.

The matter of selecting the Executive Committee was left to Chairman Jones, who will make the appointments after he has time for consideration. It is understood that many of the members of the last committee will be chosen.

A committee, consisting of Tillman of South Carolina, Johnson of Indiana, Williams of Massachusetts, Osborne of Wyoming and Wilson of Idaho, was appointed to confer with representatives of Populist and Silver Republican parties as to the best plan of campaign.

## THE WORKINGS OF ANNEXATION.

WHY ONE MAN WAS PLEASED AND  
ANOTHER DISPLEASED.

The Gladness and Sorrow Brought About  
by the Going up of  
the Flag.

"Why am I so happy?" said a man about town yesterday morning. "Well, isn't it enough to make anyone happy who believes in unadulterated food, unadulterated whisky and the unadulterated enjoyment of life?"

"I have been a resident of Honolulu for twenty-one years. During that time I have consumed lots of whisky; at least, I have paid for lots of whisky, but it was principally water—principally water. Prolonged my life? Possibly. Hard to say. Honolulu water is not very refreshing, unless boiled."

"I am happy because I see in The Republican that under the rulings of the United States Revenue Department every saloon-keeper who puts water in his whisky will be heavily fined, unless he has a rectifier's license. Ah, the pleasures of annexation! Pure whisky in Honolulu! Unadulterated whisky in Honolulu! Say, bite your leg to keep from suffocating to death!"

"Are you putting water in your whisky?" asked a Republican reporter of a prominent liquor dealer.

"Not now; not since I read in The Republican that I must have a rectifier's license to reduce the proof of the original goods. To the devil with annexation!"

## CHINA'S TROUBLES WILL BE DISASTROUS.

Opinions of Admiral  
Beardslee on the  
Situation.

THE CHINESE AS AN EMPIRE.

THEY DO THINGS DIAMETRICALLY  
OPPOSITE TO  
OTHER NATIONS.

Enemies in China's Own Border  
will be Suppressed—The  
American Navy.

Rear-Admiral Beardslee, retired, and Mrs. Beardslee are at the Hawaiian Hotel. They came in on the Nippon Maru.

Admiral Beardslee was seen by a Republican reporter yesterday. He has aged considerably since he was here in the Philadelphia in 1897.

"I am merely calling in Honolulu on my way to the Orient," said he. "I have a number of friends here that I was desirous of seeing. I witness many changes in Honolulu since I was here before. I haven't had an opportunity to go about much as yet, but I see the changes from the hotel. I think Honolulu is destined to become a large commercial city."

"I was in command of the Pacific squadron from 1894 to 1897. In 1897 I returned and was made chairman of the Examining and Retiring Board. On the 1st day of February, 1898, I was placed on the retired list."

"Yes, I was acquainted with Admiral Dewey. I had known him forty years. He was a clever officer. No, I wouldn't care to speak about any officer, even to recall reminiscences, unless he were present."

"What do you think about the trouble in China, and what you ultimately be its solution?" was asked.

"I am not in a position to answer intelligently," responded the admiral. "I have formed opinions, but these opinions are derived from what I have read, not from actual observation or active participation in the troubles."

"It is hard to form any conception of the Chinese as a class or a nation. They do everything diametrically opposite from any other nation. The Chinese will talk and think and act and do things directly opposite, as I have said. They are a curious people; but a most remarkable people."

"The Chinese are not a homogeneous people. China cannot understand the Chinamen in the Nankin and Peking districts. It is true, however, that they read one language."

"In regard to the trouble in China, it is like a person telling what will be the result of a game of chess by seeing a pawn or two moved. I think, however, it will result seriously to the detriment of China's future. The enemies in her own border will be suppressed, if not by her own forces but by those of other nations."

"The American navy in China and the Philippines is stronger than the navy of any one power in those waters, is it not?" asked the reporter.

"Yes, but it will not be used for purposes of aggrandizement. We have no quarrel with European nations in those waters, and certainly no nation is going to quarrel with us."

"Did you see or read the address delivered by Emperor William on the destruction of the German warships for Chinese waters?"

"Yes, but I do not care to discuss it."

"What do you think of the Oregon?" Will she be as seaworthy as ever?"

"I think so. I was president of the board on her trial trip. She was nearly as perfect as our ideas of a man-of-war would call for."

The Admiral and Mrs. Beardslee contemplate staying here about three weeks, when they will resume their voyage.

Among the naval officers on the Nippon Maru, which sailed yesterday evening, are: Lieutenant-Commanders H. Galt, J. C. Fremont, J. C. Crowell, W. H. Halsey, J. C. Colwell, Commander J. S. Ogden, Commander C. F. Forse, Lieutenants W. A. Gill, R. D. Hasbrouck, J. J. Knapp, C. S. Stanworth, R. H. Towler, C. B. Brittain, W. H. G. Bullard, H. B. Price, R. H. Frank, H. M. P. Huse, T. W. Ryan, Captain L. Hintze, Surgeon A. R. Alfred. They are attached to Admiral Remey's fleet.

## GREAT LOSS OF LIFE BY THE RIVER FIRE.

NEW YORK, July 9.—The losses sustained in the fire at the docks of the North German Lloyd Steamship Company in Hoboken are conservatively placed at nearly ten million dollars; the loss of life—merely guesswork at even this late hour—will reach probably as high as 200, and there are over 300 men in the hospitals in this city, Hoboken and Jersey City badly burned.

On the Sault 255 men were employed and only 127 of these had been accounted for up to 11 o'clock, leaving 128 men actually employed as officers, sailors, stewards, engineers, coal passers, oilers and trimmers to be accounted for.

The Bremen had 304 men on board, but only 127 of these have been found. The Maine had 127 employees on board at the time, and of these only 76 have been reported safe.

Those who will undoubtedly swell the list are 240 odd men, from 2,000 steamships, including officers, sub-officers, seamen, oilers, machinists, coal passers and trimmers, the greater loss, of course, being among the men who were below decks and could not get to open air before the flames choked them and heavy falling debris beat them down to their deaths.

Of these the greatest part are foreigners, and the list of their names is being checked off by the steamship company officers as soon as any identification can be made. Then, too, there are some sixty-five persons who were on canal boats, lighters and about the docks in various capacities.

So far 150 corpses have been recovered. Identification is almost impossible. The list is daily swelling.

## MONTHLY MEETING OF JOURNEMEN PLUMBERS.

They Adopt a Resolution Warmly  
Commending Plumbing In-  
spector Duffy.

At the regular monthly meeting of the Journeymen Plumbers' Union held last evening E. J. Duffy, the government Plumbing Inspector, was warmly commended for the excellent and efficient work that he is doing.

The following resolution was unanimously adopted:

"Resolved—That the members of the Journeymen Plumbers' Union view with satisfaction the great improvement in the plumbing and venting system of Honolulu since the appointment of a plumbing inspector, and we congratulate the Board of Health and the people in 'generally' in having so capable, energetic and impartial a plumbing inspector as Mr. E. J. Duffy, and we extend to him our hearty cooperation."

The plumbers are already making progress in the second year of their strike of labor day on September 1st. They will appear in the street parade in uniform.

## THE OREGON AFLOAT ENROUTE TO KURE.

WASHINGTON, July 9.—The Oregon has arrived at Chefoo. She will start for Kure, Japan, to dock July 12. The pumps easily control the water. All on board the Oregon are well.

The dock at Kure is large enough, for the battleship. It is 475 feet over all, 443 feet over the blocks, 89 feet wide and has a depth of 32½ feet. It will receive a 15,000-ton ship. In the arsenal at Kure is a large turning and fitting shop, and this assures prompt repairs on the Oregon.

The Japanese Navy Department tendered the use of either Kure or Yokosuka docks and offered any assistance desired. It has ordered the Akitsushima to return to the Oregon.

Nagasaki is 600 miles distant, but can be reached by the Oregon without venturing far outside of the smooth waters of Pechili bay. The Japanese vessel Akitsushima, which is reported as going to the help of the Oregon, is the famous cruiser which covered herself with honors at the battle of Tsushima.

The Oregon will be on the docks all of three months. The courtesy exhibited by the Japanese Government in allowing the Oregon to use the dock, which is owned by the Government, is much appreciated by the Navy Department officials here.

## EXPERIMENTAL STATION WILL ANALYSE FOODS.

Result of the Correspondence Between  
Food Commissioner Shorey  
and Agricultural Department.

The following letter has just been received by Food Commissioner E. C. Shorey. The letter is the result of correspondence between Mr. Shorey and the Director of the United States Experimental Station, relating to the analysis of tropical foods, which, under annexation, become the property of the Agricultural Department. The United States authorities asked Mr. Shorey to forward them samples of such foods, but it is now decided that analysis shall take place here:

United States Department of Agriculture, Office of Experiment Station, Washington, D. C., June 29, 1900. Mr. Edmund C. Shorey, Board of Health, Honolulu, H. I.: Dear Sir:—We have delayed replying to your favor of April 17, in which you kindly offered us assistance in securing samples of tropical fruits for analysis, for the reason that the establishment of a Federal experimental station in the Hawaiian Islands has for some months been practically assured, and is now beyond question.

Dr. W. C. Stubbs, Director of the Louisiana Agricultural Experiment Station, has been appointed commissioner by Secretary Wilson to visit the islands and ascertain the most feasible plan for establishing a station. He will start early in July and will undoubtedly call upon you sometime during August.

In view of the establishment of a station, it has seemed best to have the analyses made in Hawaii rather than attempting to send the fruit to this country for analysis. I wish to thank you very cordially for your courtesy in offering to procure and pack the fruit for shipment. Very truly yours,  
E. W. ALLEN,  
Acting Director.

## Will Examine Drinking Water.

Dr. Garvin and Dr. Pratt left again for Palolo valley yesterday evening to make investigations of the sources of water supply in that neighborhood, owing to the typhoid deaths occurring in the valley. They will bring back samples of the various drinking waters found for analysis by Food Inspector Shorey and also for bacteriological examination.

## EMPRESS DOWAGER TAKES A NEW STAND.

Believed that She is  
Upholding Prince  
Ching's Effort.

JAPAN EMPOWERED TO ACT.

POWERS WILL CONCENTRATE  
FULLY ONE HUNDRED  
THOUSAND MEN.

General Review of the Situation in  
the Chinese Empire—  
Troubles at Tien-  
Tsin.

LONDON, July 9, 2:45 A. M.—The foreign consuls at Shanghai met on July 7 and officially announced that the legations at Peking were safe on July 4. The foregoing statement, read with Consul Warren's dispatch to the Foreign Office on Sunday, makes it possible to believe that the legations will hold out for a number of days yet. Having fought to a standstill, the first outburst of fanatical fury, it is believed that something may intervene to save them. The news, after the sinister rumors of the last ten days, is enough upon which to build up hopes.

Tientsin is still hard pressed. A Chinese force numbering from 8,000 to 10,000 men, as estimated by inconspicuous reconnoissances, floods the country round about Tientsin, communication between which place and Taku is apparently possible by river only. A Chefoo dispatch to the Express says the Russians have landed 8000 men at Taku and the Japanese have discharged several transports. The Japanese pushed on to Tientsin, leading in the subsequent assault upon the native city, in which their commander was killed. Ten more transports are engaged at Japanese ports. With the 10,000 British India troops afloat and fresh Japanese contingents it is quite probable that the allies will have 50,000 men ashore.

The disorders in the provinces appear to be increasing in violence. A Chinese army is within forty miles of Xewchang and foreigners are preparing to abandon their homes. The southern part of the province is swept by raiders, destroying all works of the white man, except in spots garrisoned by Russians. Proclamations have been posted in all villages near Chefoo calling upon the loyal Chinese to rise and expel the foreigners, for introducing among the pious Chinese an immoral religion. Every good Buddhist is expected to kneel three hours daily, and pray earnestly that sudden, cruel death may overtake all aliens.

The foreign settlement at Chefoo is at the mercy of two Chinese forts equipped with Krupp guns which command two sides of the city. Six warships, including the United States gunboat Nashville, are constantly alerted for action.

Nankin is on the south bank of a river nearly a mile wide. The British cruisers Heuland and Plague I will assist in repelling attempts to cross. Six Chinese cruisers are there and 15,000 Chinese troops are at the disposal of Viceroy Liu Kun Yi. The forts mount thirty-four high-power modern guns. The foreigners in Shanghai are becoming uneasy. Everything depends, they feel, on Viceroy Liu Kun Yi.

Refugees from Tientsin arriving at Shanghai said that only five civilian foreigners were killed during the long Chinese bombardment. The foreign women became so indifferent that they walked through the streets, not heeding the shells. Most of the civilians were deported to Taku, thence to be conveyed to Shanghai.

Warren's dispatch gives a strange picture, says the Daily Mail's Shanghai correspondent, of how life justles death on as usual. The shops and theaters are open and the streets are full of people. No imperial troops, except those of General Tung Fuh Siang took part in the fighting. The courier even asserts positively that provisions are being supplied to the legations, but by whom he does not say. The Boxers and General Tung Fuh Siang do not get along well. The Boxers assert that they do all the fighting and the latter all the looting and nothing else.

General Kwang Shikai, Governor of Shantung, the correspondent of the Daily Mail, predicts that by July 1 the Boxers will disband and negotiations will be begun for peace. Nevertheless, the circumstances of dark things to come are in circulation.

As to that made by Admiral Kempf, the authorities decline to speak, but there is reason to believe that it was slightly less than the lowest figure of the Japanese sailor. It may be that it is Admiral Kempf's statement that has caused the officials to hesitate to urge the dispatch of troops to Taku until the arrival of the Japanese division and the Ninth Infantry, which will bring the total fighting strength of the allies to about 45,000 men.

The allied force at Taku and Tientsin now consists of 18,000 men. Reinforcements under orders consist of 19,000 Japanese troops, 15,000 Germans, 12,000 Russians, 11,000 Americans, 10,000 British, 8,000 French and 3,000 Italians.

Upon the arrival of the Japanese division at Taku the question of the officer who will be placed in command will naturally arise. The Japanese corps will be commanded by a lieutenant-general, and so far as known here, he will be the ranking officer. It may be that Russia may not desire to permit Japan to have a preponderating force and a Japanese officer in the direction of affairs, and may send an offi-

cer with the rank of general to command her forces. He would, of course, rank the Japanese officer. So far as this Government is concerned, it is willing to have any efficient officer in command, be he Russian or Japanese, provided haste is observed in starting the expedition to the relief of Peking.

## REPORTED DEFEAT OF CHINESE BY RUSSIANS.

LONDON, July 8.—The correspondents at Shanghai, which is still the clearing-house of all China news, says that a combined force of Russians and Japanese followed the railway as far as Lang Chan and then swept to the west and attacked the Chinese eighteen miles north of Tientsin and killed 1000 of them.

The Shanghai correspondent of the Standard says reports from Tientsin, from Chinese sources, say that a great battle has taken place, in which the Chinese lost heavily.

The Daily Telegraph's Canton correspondent, wiring Friday via Hongkong, says: "Li Hung Chang was officially notified to-day that President McKinley appreciates his friendship for the allied powers. Now that anarchy controls the capital President McKinley trusts to the responsible provincial authorities to carry out the international obligations of the Chinese Government."

The Shanghai correspondent of the Daily Telegraph, under date of July 7, says: "Boxer emissaries are coming to the south, disguised, for the purpose of 'eviling' men. The situation is grave." Emperor William, says a Berlin dispatch, to-day received the following from the Governor at Tientsin, which refers to the promise of reward to anyone who should accomplish the deliverance of a foreigner from Peking:

"Being notified of your Majesty's telegram, the Governor of Shantung replied that he was quite ready to do everything in his power for the help."

General Orloff, a brilliant soldier, has been appointed chief of staff of the Russian forces in China.

## POWERS GIVE JAPAN FREE REIN IN CHINA.

ST. PETERSBURG, July 9.—Russia has consented to and is even desirous that Japan should actively co-operate in the pacification of China. Russia places no limit on the number of Japanese troops to be employed and only stipulates that this agreement is not to constitute a mandate whereby Japan will obtain a privileged position. Japan, it is added, must co-operate in the work of pacification on the same conditions as the other powers.

LONDON, July 10.—Baron Hayashi, being asked by a representative of the Daily Chronicle, "Do you understand that Japan has now been allowed a free hand to settle the trouble?" replied: "I do not understand so, but I know that Japan is quite willing to do all in her power to bring the rising to an end, along with the other powers. Japan is ready to put 22,000 men into the field."

WASHINGTON, July 9.—The Russian and French charges and the Chinese Minister were among Secretary Hayashi's callers to-day. Save the Chinese Minister, they came for information, but it is surmised that their object was to assure Secretary Hayashi of the willingness of the governments of Russia and France to allow Japan a free hand in the matter of landing troops in China to quell the Boxer disturbance.

LONDON, July 9.—The Daily Telegraph has dispatch from its special correspondent at Tientsin, which says: "Yokohama, July 8.—The Japanese Government has decided to increase immediately its force in China to 23,000 men and 5000 horses."

## FORCE THAT MAY BE NEEDED IN CHINA.

WASHINGTON, July 8.—An allied force of nearly 100,000 men is in China or on its way to Taku. These figures are larger than those given yesterday, but are based on more accurate information, which has just been received in an official quarter here. It was learned to-day that several governments, appreciating the need of an expression of opinion, as to the number of men required to establish and preserve order, recently decided the several armies at Taku to wire a statement as to the strength of the force necessary to suppress the revolt. The instruction was a matter of conference between the admirals, and the highest estimate seems to have been made by a Japanese officer, who placed the number at between 70,000 and 100,000. The estimate of the British, Russian and German officers were smaller.

## THE OUTLOOK NOT SO HOPEFUL AT TIEN-TSIN.

CHEFOO, July 8.—The American Consul here has received a communication from Taku, under date of Thursday, saying that ten thousand Chinese under General Nien appeared outside of Tientsin on Wednesday and occupied the eastern arsenal. The Chinese are fortifying the native city of Tientsin. The situation there is considered critical. Communication between Taku and Tientsin is again threatened. The Boxer influence is increasing in Shantung province. Christians at Chingf have been called upon to renounce their faith. The French Consul reports that the Ching Chou Pu orphanage has been pillaged.

A steamer has arrived from New Schwang with nine refugee sisters and one priest from Moukden, where the Catholic mission was burned and three sisters and a Bishop murdered. An incident (Continued on Page 8.)

## FIRE CLAIMS AND THE GOVERNMENT.

Territory's Probable  
Action Outlined in  
a Brief.

IT IS FILED IN BUSH CASE.

CONTENTION MADE THAT A  
SOVEREIGNTY CANNOT  
BE SUED.

Further Answers Made by Insurance  
Companies—Responsibility  
Denied—Opinion of Law-  
yer on Situation.

The government brief, written by Lloyd M. Robbins, Assistant Attorney-General, in the case of John E. Bush, Mary E. Bush, A. K. Kuuileka, K. Kallipapa vs. The Territory of Hawaii, was filed yesterday.

Several insurance companies filed answers yesterday to complaints of plaintiffs, whose property was destroyed by the great Chinatown fire of January 20th last. The actions were brought by the insured to recover the insurance money on property consumed in the Chinatown conflagration. The insurance companies state that the destruction of property mentioned in these complaints occurred from and through a cause not insured.

The brief of the government and the answers of the insurance companies have a direct bearing on the question of fire claims, and are of the greatest interest to the many whose premises were burned by order of the Board of Health during the late plague visitation.

"The Bush action," says the brief, "is a suit in ejectment, brought by the plaintiffs against the defendant for certain lands."

The government states at the time the action was commenced, the Republic of Hawaii was the sovereign power, and the action was begun prior to the taking effect of the Organic Act.

"It is an established principle of jurisprudence," says the brief, "in all civilized nations that the sovereign cannot be sued in its own courts, or in any other, without its consent and permission; but it may, if it thinks proper, waive this privilege, and permit itself to be made a defendant in a suit by individuals, or by another State, and as this permission is altogether voluntary on the part of the sovereign, it follows that it may prescribe the terms and conditions on which it consents to be sued, and the manner in which the suit shall be conducted, and may withdraw its consent whenever it may suppose that justice to the public requires it."

"Every government has an inherent right to protect itself against suits, and, in the liberality of legislation, they are permitted, it is only upon such terms and conditions as are prescribed by statute. The principal is fundamental, applies to every sovereign power, and, but for the protection which it affords, the government would be unable to perform the various duties for which it was created."

The sovereign power is not limited to the United States, but extends to the smallest sovereignty within the States, when the principle is also held that they cannot be sued unless by permission of the Legislature. A State cannot be sued in her own court unless there is an enactment of the Legislature providing the means and in what court suit may be sued.

"A county cannot sue or be sued except by express power conferred by statute, and the Legislature may withdraw this permission at any time."

Numerous decisions are cited to maintain this contention.

The first subdivision of Section 1530, Chapter 88, of the Civil Laws of 1897, is quoted, and it is stated that the action of the plaintiffs is not found in the section, nor is there any action analogous to ejectment, which the government allows to be prosecuted unless allowed by the government to be so. The government has intended that suit of ejectment should have been brought against it, if it certainly would have enumerated it along with the other actions allowed by the government to be prosecuted against it.

The plaintiffs' complaint is declared defective and that the demurrer should be sustained is the contention of the brief.

Answers have been filed in the case of Wing Wo Tai & Co. vs. the Alliance Assurance Company, Wong Leong Too Company vs. the Svea Insurance Company, Wing Wo Tai vs. Royal Insurance Company, the answers setting forth, as stated, that the destruction of the property mentioned in the complaints occurred from and through a cause not insured.

"In my judgment," said a prominent member of the local bar, "a suit cannot be brought against a sovereignty, State or county without its consent. In the United States they have a court of claims, where all claims against the Government are filed. It was established by Congress to facilitate those having just claims against the Government."

"If the insurance companies and the government are not responsible for the destruction of property in the fire, who is?" asked the reporter.

"I don't know," he answered. "The Legislature can pass a relief bill for those who suffered from the fire. Suits could be brought against those officials who ordered the fire and started the fire. And then, again, Congress might pass an appropriation reimbursing the sufferers."

"I look for international complications to arise out of these fire claims. This destroying people's property, plague or no plague, is serious business."